

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF VIRGINIA
ROANOKE DIVISION**

RILEY AMORE; and CAROLINE PARKER,
*individually and on behalf of all others
similarly situated,*

Plaintiffs,

v.

AMERICAN ASSOCIATION OF
VETERINARY CLINICIANS; SOLUTION
INNOVATIONS, INC.; VCA ANIMAL
HOSPITALS, INC.; BLUEPEARL
OPERATIONS, LLC; MEDVET
ASSOCIATES, LLC; VETERINARY
SERVICES OF NJ P.C., d/b/a RED BANK
VETERINARY HOSPITAL; UNIVERSITY
OF PENNSYLVANIA SCHOOL OF
VETERINARY MEDICINE; CUMMINGS
SCHOOL OF VETERINARY MEDICINE AT
TUFTS UNIVERSITY; PATHWAY VET
ALLIANCE, LLC; THE ANIMAL MEDICAL
CENTER, INC.,

Defendants.

Case No. 7:25-cv-00229-EKD-CKM

METE ENDER TUNCAY, DVM on behalf of
himself and all others similarly situated,

Plaintiff,

vs.

Case No. 7:25-cv-00369-EKD-CKM

AMERICAN ASSOCIATION OF
VETERINARY CLINICIANS, SOLUTION
INNOVATIONS, INC., AMERICAN
ASSOCIATION OF VETERINARY
MEDICAL COLLEGES, THE AMERICAN
VETERINARY MEDICAL ASSOCIATION,
VCA ANIMAL HOSPITALS, INC., ETHOS
VETERINARY HEALTH LLC, PATHWAY

VET ALLIANCE, LLC D/B/A THRIVE PET HEALTHCARE, MEDVET ASSOCIATES, LLC, TRUSTEES OF THE UNIVERSITY OF PENNSYLVANIA, UNIVERSITY OF PENNSYLVANIA SCHOOL OF VETERINARY MEDICINE, TRUSTEES OF TUFTS COLLEGE, TUFTS UNIVERSITY CUMMINGS SCHOOL OF VETERINARY MEDICINE, CORNELL UNIVERSITY, CORNELL UNIVERSITY COLLEGE OF VETERINARY MEDICINE, UNIVERSITY OF FLORIDA BOARD OF TRUSTEES, THE COLLEGE OF VETERINARY MEDICINE AT THE UNIVERSITY OF FLORIDA, OHIO STATE UNIVERSITY, OSU COLLEGE OF VETERINARY MEDICINE, TEXAS A&M UNIVERSITY SYSTEM, and TEXAS A&M COLLEGE OF VETERINARY MEDICINE AND BIOMEDICAL SCIENCE.

Defendants.

**STIPULATION AND [PROPOSED] ORDER OF THE PARTIES REGARDING INITIAL
CASE MANAGEMENT DEADLINES**

Pursuant to Rules 4, 12, and 42 of the Federal Rules of Civil Procedure, Plaintiffs in the actions styled *Amore v. American Association of Veterinary Clinicians, et al.*, No. 7:25-cv-00229 (W.D. Va.), and *Tuncay v. American Association of Veterinary Clinicians, et al.*, No. 7:25-cv-00369 (W.D. Va) (the “Actions,” and plaintiffs in the Actions collectively, “Plaintiffs”) and Defendants American Association of Veterinary Clinicians, Solutions Innovations, Inc., VCA Animal Hospitals, Inc., BluePearl Operations, LLC, MedVet Associates, LLC, Veterinary Services of NJ P.C., d/b/a Red Bank Veterinary Hospital, University of Pennsylvania School of Veterinary Medicine, Cummings School of Veterinary Medicine at Tufts University, Pathway Vet

Alliance, LLC, The Animal Medical Center, Inc., Ethos Veterinary Health, LLC, Trustees of the University of Pennsylvania, and Trustees of Tufts College (collectively, “Defendants”) (and together with Plaintiffs, the “Parties,” and singularly, a “Party”)¹ stipulate, subject to the Court’s approval, to the matters described in further detail below.

SERVICE OF PROCESS AND CONSOLIDATION

1. Pursuant to Rule 4(d) of the Federal Rules of Civil Procedure, Defendants agree to waive service of process with respect to any complaint in any of the Actions not served as of the date of this stipulation and further agree to accept service of process of the consolidated complaint via email and/or ECF notification.

2. Except as to the defense of insufficiency of service of process in this action, no defense of any of the Defendants, including, without limitation, defenses based upon lack of personal jurisdiction, subject matter jurisdiction, or venue, is prejudiced or waived by such Defendant’s executing, agreeing to, or filing this stipulation.

3. Plaintiffs and Defendants agree that Defendants do not need to respond to the currently operative complaints in the above-captioned Actions.

4. The Parties agree that each of the Actions (Nos. 7:25-cv-00229 and 7:25-cv-00369) should be consolidated pursuant to Rule 42(a) of the Federal Rules of Civil Procedure. The Parties agree that consistent with consolidation under Rule 42(a), the following supports consolidation:

- a. Each Action involves common issues of law and fact, insofar as each Action alleges that the named Defendants conspired to restrain competition for veterinary interns and residents through the Veterinary Internship and Residency Match Program (“VIRMP”) in violation of the Sherman Act;

¹ Not all Defendants are named in both Actions.

- b. There is no risk of prejudice or confusion through consolidation because each Action involves the same alleged conduct by a largely overlapping group of Defendants and that any risk of confusion or prejudice is overcome by the likelihood of inconsistent rulings or judgments regarding the same course of alleged conduct were the Action to remain separate;
- c. Consolidation will conserve the Parties' resources given the overlapping issues in each Action, including overlapping discovery demands, and will reduce the burden on potential witnesses, who will substantially overlap between the two Actions; and
- d. Consolidation will promote judicial economy, avoiding duplicative and potentially inconsistent rulings across each Action.²

5. The Parties agree that *Amore v. American Association of Veterinary Clinicians, et al.*, No. 7:25-cv-00229 (W.D. Va.) shall be designated the "Lead Case File" and that a docket sheet be maintained for that file which shall include all filings subsequently consolidated with the Lead Case File.

6. The Parties agree that any actions later instituted in, removed to, or transferred to this Court (including cases transferred for pretrial purposes under 28 U.S.C. §1407) that involve allegations of antitrust violations concerning the use of the VIRMP on behalf of veterinary interns or residents likewise be consolidated with the Actions in the Lead Case File.

² See *Seabrooks v. Evans Delivery Co.*, 2020 WL 6122294, at *2-3 (W.D. Va. Oct. 16, 2020) (granting consolidation of actions because of overlapping factual and legal issues, lack of prejudice or confusion through consolidation, and conservation of party and judicial resources).

FORTHCOMING CASE MANAGEMENT DEADLINES

7. The Parties agree that the Court's May 15, 2025 Minute Order granting Plaintiffs' Motion to Set Briefing Schedule should be vacated, and the following schedule shall control:

8. Plaintiffs will file any motions for the appointment of lead and liaison counsel pursuant to Fed. R. Civ. P. 23(g) the later of **June 25, 2025**, or two business days after the Court enters this Stipulation and [Proposed] Order. No replies shall be permitted. Plaintiffs respectfully request that the Court hold a hearing on their motions for leadership.

9. Plaintiffs will file a consolidated complaint no later than **30 days** after an order appointing Plaintiffs' lead counsel and liaison counsel.

10. Within **60 days** after Plaintiffs file a consolidated complaint, Defendants shall answer or otherwise respond to the consolidated complaint pursuant to Rule 12.

11. Plaintiffs shall file briefs in opposition to any motion(s) to dismiss **within 60 days** of Defendants' answers or responsive motions.

12. Defendants shall file any replies in support of their motion(s) to dismiss **within 30 days** of Plaintiffs' oppositions.

Dated: June 24, 2025.

Respectfully submitted,

/s/ Roman Lifson

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SO ORDERED.

Dated: _____

Elizabeth K. Dillon
Chief U.S. District Judge